

No. 21268

**FINLAND
and
IRELAND**

**Agreement on the international carriage of goods by road
(with protocol). Signed at Dublin on 19 May 1981**

Authentic texts: Finnish and English.

Registered by Finland on 4 October 1982.

**FINLANDE
et
IRLANDE**

**Accord relatif au transport international de marchandises
par route (avec protocole). Signé à Dublin le
19 mai 1981**

Textes authentiques : finnois et anglais.

Enregistré par la Finlande le 4 octobre 1982.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF IRELAND ON THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

The Government of the Republic of Finland and [the] Government of Ireland,
Desiring to facilitate the international carriage of goods by road between
and in transit through their countries,

Have agreed as follows:

Article 1. DEFINITIONS

For the purposes of this Agreement:

(a) The term “carrier” shall mean any physical or legal person who, in either Ireland or the Republic of Finland, carries goods by road for hire or reward or on his own account in accordance with the relevant national laws and regulations;

(b) The term “vehicle” shall mean any mechanically propelled road vehicle, which is constructed or adapted for the transport of goods, including any accompanying trailer or semitrailer.

Article 2. SCOPE

The provisions of this Agreement shall apply to the international carriage of goods by road for hire or reward or on own account between Ireland and the Republic of Finland and in transit through either country.

Article 3. PERMITS

1. Except as provided in article 4 of this Agreement, a carrier of one country shall require a permit granted by the competent authority of the other country in order to engage in the international carriage of goods by road between the two countries, including the carriage of return loads, or in transit through the other country.

2. A permit shall be used only by the carrier to whom it is issued and it shall not be transferable. It shall be valid for the use of a single vehicle or a coupled combination of vehicles at any one time.

3. A permit may be used for transport between and in transit through the two countries.

4. Permits will be issued by the competent authority of one country on behalf of the competent authority of the other country.

5. Permits will be valid for one or more journeys, the outward and return journeys to count as one journey.

¹ Came into force on 3 September 1982, i.e., the thirtieth day following the exchange of notifications (effected on 4 August 1982) by which the Contracting Parties informed each other that the necessary measures had been taken, in accordance with article 17 (1).

Article 4. EXEMPTIONS

A permit shall not be required for:

- (a) Transport of goods carried on an occasional basis to or from airports, in cases where services are diverted;
- (b) Transport of luggage carried on trailers attached to passenger transport vehicles, and luggage carried on vehicles of any type to or from airports;
- (c) Transport of mails;
- (d) Transport of damaged or broken-down vehicles;
- (e) Transport of bees and fish stock;
- (f) Funeral transport;
- (g) Transport of goods on own account, provided an appropriate own account document is carried on the vehicle;
- (h) Transport of spare parts and provisions for oceangoing ships;
- (i) Transport of precious goods, e.g., precious metals, in special vehicles accompanied by the police or other security personnel;
- (j) Transport of medical supplies and equipment needed for emergencies, notably in the event of natural disasters;
- (k) Transport of goods in vehicles whose permitted gross laden weight, including trailers, does not exceed six tonnes, or where the permitted payload, including trailers, does not exceed 3.5 tones;
- (l) Unladen run of a relief vehicle used for transporting goods sent to replace a vehicle which has broken down in another country, and continuation of the haul by the relief vehicle under cover of the permit issued for the vehicle which has broken down;
- (m) Transport of works and objects of art for fairs and exhibition or for commercial purposes;
- (n) Transport of articles and equipment intended exclusively for advertising and information purposes;
- (o) Transport of properties, accessories and animals to or from theatrical, musical, film, sports or circus performances, fairs or fêtes, and those intended for radio recordings, or for film or television production;
- (p) Unladen runs by vehicles;
- (q) Transport of goods in unaccompanied trailers and semitrailers;
- (r) Transport of goods, not specified above, as agreed by the competent authorities.

Article 5. ABNORMAL WEIGHTS AND DIMENSIONS

If the weights or dimensions of a vehicle or combinations of vehicles performing the transport operation exceed the permissible maximum in the other country, special authorisation must be obtained from the appropriate authority in that country before the carriage is undertaken.

Article 6. QUOTAS

1. Permits may be issued within the limits of annual quotas fixed, by mutual agreement, by the competent authorities.

2. For this purpose the competent authorities shall exchange the necessary blank permits.

3. Permits may be issued, without counting against the quota, for:

- (a) Transport of perishable foodstuffs in refrigerated vehicles;
- (b) Removals carried out by contractors with special staff and equipment for this purpose;
- (c) Transport of live animals where special vehicles are used;
- (d) Transit operations provided that no goods are picked up or delivered at any point in the other country.

Article 7. PROHIBITION OF CABOTAGE

Nothing in this Agreement shall be held to permit a carrier of one country to pick up goods at any point in the other country for delivery at any other point in that country.

Article 8. CARRIAGE TO AND FROM THIRD COUNTRIES

A carrier of one country may not perform transport operations between the other country and a third country unless a special permit has been granted by the competent authority of the other country.

Article 9. JOURNEY RECORDS

The competent authority of either country may decide that permits shall be accompanied by a journey record which must be completed by the carrier before each journey.

Article 10. CARRIAGE AND INSPECTION OF DOCUMENTS

Permits and any other documents required in accordance with the provisions of this Agreement must be carried on the vehicle and produced on demand to any person duly authorised to demand them.

Article 11. COMPLIANCE WITH NATIONAL LAW

Carriers of either country and the crews of their vehicles shall, when in the other country, comply with the laws and regulations in force in that country.

Article 12. INFRINGEMENTS

1. In the case of any infringement of the provisions of this Agreement by a carrier of one country while in the other country, the competent authority of the country in which the infringement or infringements occurred may decide:

- (a) To issue a warning to the carrier;
- (b) If the infringement was a serious one, to issue such a warning together with a notification that any subsequent infringement may lead to the revocation of the permit or permits issued to the carrier;

(c) To issue a notification of such revocation; and that competent authority may request the competent authority of the other country to convey its decision to the carrier and, in cases covered by sub-paragraph (c) to suspend the issue of permits to him for a specified or indefinite period.

2. The competent authority of the country receiving any such request shall as soon as reasonably practicable comply therewith and shall inform the competent authority of the other country of the action taken.

3. The provisions of this article shall be without prejudice to any lawful sanctions which may be applied by the courts or by the competent authority of the country in which the infringement occurred.

Article 13. FISCAL PROVISIONS

1. Vehicles which

(a) Are registered and currently taxed in one country, and

(b) Are temporarily imported into the other country,

shall be exempted from the taxes and charges levied on the circulation or possession of vehicles in the latter country.

2. This exemption shall not extend to tolls or to taxes and charges on fuel consumption.

Article 14. FUEL

The fuel contained in the normal tanks of a vehicle shall be admitted exempt from all taxes and duties.

Article 15. JOINT COMMITTEE

1. Representatives of the competent authorities shall form a Joint Committee to ensure the satisfactory implementation of the Agreement and its adaptation to development in traffic. The Joint Committee shall meet at the request of either competent authority.

2. Each competent authority will on request provide the other with any relevant information which can be made available concerning the manner in which traffic covered by this Agreement has developed.

Article 16. PROTOCOL

1. Further provisions in relation to the application of this Agreement are contained in a separate protocol.

2. The Joint Committee established in accordance with article 15 shall have power to modify the said protocol.

Article 17. ENTRY INTO FORCE AND DURATION

1. Each Contracting Party shall notify the other through diplomatic channels when the measures necessary for giving effect to this Agreement in

their country have been taken. The Agreement shall enter into force on the thirtieth day after the date of receipt of the later of these notifications.

2. The Agreement shall remain in force for a period of one year after its entry into force. Thereafter, it shall continue in force indefinitely unless it is terminated by either Contracting Party giving six months' written notice thereof to the other Contracting Party.

DONE in duplicate at Dublin on 19 May 1981 in the English and the Finnish languages, both texts being equally authentic.

For the Government of the Republic of Finland:
ENSIO HELANIEMI

For the Government of Ireland:
ALBERT REYNOLDS

PROTOCOL DRAWN UP UNDER ARTICLE 16 OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF IRELAND ON THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

The following detailed rules have been agreed for the implementation of the Agreement:

1. For the purposes of this Agreement, the competent authorities shall be:

- (a) In Ireland, the Minister for Transport or any authority appointed by him;
- (b) In Finland, the Ministry of Communications, Road Traffic Department, Eteläesplanadi 16, 00130 Helsinki 13.

In relation to article 3

2. Permits issued under this Agreement shall conform to the model recommended in Resolution No. 119 of the Economic Commission for Europe on the standardisation of the forms used for authorisations for international goods transport by road.

3. The validity of a permit shall not exceed three months.

4. Permits will

- (a) Be granted to Irish carriers, for vehicles registered in Ireland, by the Ministry of Communications of Finland and issued by and at the discretion of the Minister for Transport of Ireland or any authority appointed by him;
- (b) Be granted to Finnish carriers, for vehicles registered in Finland, by the Minister for Transport of Ireland and issued by and at the discretion of the Ministry of Communications of Finland, Road Traffic Department.

In relation to article 5

5. The appropriate authorities for the purposes of this article shall be:

- (a) In Ireland, the local authority in whose area the journey is to be made. (Before the journey is made, seven days notice thereof, accompanied by a copy of the application for a permit, shall be given to the Commissioner of the Garda Síochána, Dublin.)
- (b) In Finland, Tie- ja vesirakennushallitus, Eteläesplanadi 4, 00130 Helsinki 13.

In relation to article 6

6. The quotas shall be fixed by the competent authorities on the basis of the number of journeys which may be made by the carriers of either country in a year. The competent authorities may agree to increase the quotas at any time.

In relation to article 9

7. The journey record shall contain the following particulars:

- (a) The number of the permit to which it relates;
- (b) The registration number of the vehicle used, its maximum permissible laden weight and its unladen weight;
- (c) The points at which the goods were loaded or unloaded;
- (d) The nature and weight of the goods carried;
- (e) Space for a Customs stamp.

8. The competent authority may require that permits and journey records will be returned by the holders either after use or, in the case of unused permits, after the expiry of their period of validity.

DONE in duplicate at Dublin on 19 May 1981 in the English and the Finnish languages, both texts being equally authentic.

For the Government of the Republic of Finland:
ENSIO HELANIEMI

For the Government of Ireland:
ALBERT REYNOLDS
